



# **COMMONWEALTH of VIRGINIA**

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## **MEMORANDUM**

**To:** David Dick, Executive Director  
Board for Geology Regulations  
Department of Professional and Occupational Regulation

**From:** Elizabeth B. Peay  
Assistant Attorney General  
Counsel to the Board for Geology Regulations

**Date:** August 9, 2006

**Subject:** Letter of Assurance for Exempt Action Final Regulation

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I have reviewed the Exempt Action Final Regulation issued by the Board for Geology Regulations that were posted on Virginia Regulatory Town Hall on August 7, 2006. In my view, as counsel to the Board for Geology Regulations, the Board may promulgate these regulations, pursuant to § 54.1-113 of the *Code of Virginia*. The regulations do not appear, on their face, to conflict with the Constitution of the United States or the Constitution of the Commonwealth of Virginia, nor do they appear to conflict with federal or state law currently in effect.

This memorandum addresses legal matters only, is not intended to serve, nor should it be construed, as a comment for or against the merits of the proposed, regulations, and does not address, or express a position on, matters of public policy.

